

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
NORTHERN DIVISION**

POINT BLANK BODY ARMOR, INC.

Plaintiff,

v.

ALLEN PRICE,
JOSEPH KRUMMEL, and
JAMES MURRAY

Defendants.

Civil Action No. MJG 01 CV 3256

ALLEN PRICE,
JOSEPH KRUMMEL, and
JAMES MURRAY

Counter-plaintiffs,

v.

POINT BLANK BODY ARMOR, INC.

Counter-defendant.

**SUPPLEMENTAL MEMORANDUM IN SUPPORT OF DEFENDANTS'
MOTION FOR COUNSEL FEES AND COSTS**

Defendants and Counter-Plaintiffs, Allen Price, Joseph Krummel, and James Murray (hereafter, collectively, the "Individuals"), by their undersigned counsel, in connection with their Motion for Counsel Fees and Other Costs, respectfully direct the Court's attention to the September 9, 2003 decision of the Maryland Court of Special Appeals in Blaylock v. Johns Hopkins Credit Union, a copy of which is attached hereto, wherein that Court rejected the application of a "proportionality test" in judging the reasonableness of attorneys' fees requested in connection with a claim under the Maryland

Consumer Protection Act, MD. CODE ANN., COM. LAW II § 13-101, *ET SEQ.* Because the Maryland Wage Payment and Collection Law, and, in particular, MD CODE ANN. LABOR AND EMPLOYMENT §3-507.1, are remedial in the same sense as the Consumer Protection Act, Defendants submit that the reasoning adopted by the Court of Special Appeals in rejecting the application of a proportionality test in Blaylock is fully applicable in the instant case, and such a test should not be applied by the Court in connection with Defendants' motion.

Respectfully submitted,

Dated: September 10, 2003

/s/
Robert S. Brennen (04499)
William M. Krulak, Jr. (26452)
MILES & STOCKBRIDGE P.C.
10 Light Street
Baltimore, Maryland 21202
(410) 727-6464
(410) 385-3700 (FAX)

Attorneys for Defendants and Counter-Plaintiffs
Allen Price, Joseph Krummel and James Murray